# IN THE CIRCUIT COURT SECOND JUDICIAL CIRCUIT COUNTY OF ADAIR, STATE OF MISSOURI

Jerus Royal Land a minor, by and through his Mother and Next				
Friend, CRYSTAL DAWN LEE,				
and CRYSTAL DAWN LEE and	M. 40. 8			
ROBERT LEE, individually,				
Plaintiffs,				
vs.	Cause No.: 07AR-CVCCOSO			
RALPH BOLING, D.O.,				
KIRKSVILLE HOSPITAL				
CORPORATION, d/b/a NORTHEAST	) and the second of the second			
REGIONAL MEDICAL CENTER,	)			
Defendants.	) ) JURY TRIAL DEMANDED			
PETITION				

#### COUNT I

COME NOW the Plaintiffs, J R R L a minor, by and through his Mother and Next Friend, CRYSTAL DAWN LEE, and CRYSTAL DAWN LEE and ROBERT LEE, individually, by and through their attorneys, and for Count I of the causes of action under Chapter 538.205 *et seq.*, R.S. Mo. (2005), against Defendant, RALPH BOLING, D.O., and state:

1. That Plaintiff, Jew Resident (hereinafter "Jaxson"), a citizen and resident of the State of Missouri, is a minor under the age of fourteen (14) years and brings this suit by his duly appointed, qualified and acting next friend, Crystal Dawn Lee, a citizen and resident of the State of Missouri, who has been duly appointed to act as such by the Circuit Court, Second Judicial Circuit, County of Adair, State of Missouri.

- 2. Crystal Dawn Lee is the parent and mother of J R L and is a citizen and resident of the State of Missouri.
- 3. Robert Lee is the parent and father of Jerra Remain and is a citizen and resident of the State of Missouri.
- 4. That as of April 19, 2005, and at all times relevant herein, defendant Ralph Boling, D.O. (hereinafter "Boling"), was a physician duly licensed to practice his profession under the laws of the State of Missouri and was engaged in the practice of his profession in the County of Adair, State of Missouri, and was employed by and/or otherwise affiliated with Defendants, Kirksville Hospital Corporation, d/b/a Northeast Regional Medical Center and/or Northeast Regional Medical Center located at 315 South Osteopathy, P.O. Box C8502, Kirksville, Missouri, 63501. Defendant Boling is a citizen and resident of the State of Missouri.
- 5. That as of April 19, 2005, defendant Boling, in his professional capacity had under his care, and attended and treated, J
- 6. That on or about April 19, 2005, and at all times relevant herein, there was a duty on the part of defendant Boling to diagnose, care and treat J using that degree of skill and learning ordinarily used under the same or similar circumstances by the members of defendant's profession.
- 7. That after assuming the care and treatment of Jean, defendant Boling was then and there guilty of one or more of the following wrongful acts and/or omissions such being a departure, or departures from prevailing professional standard(s) of care, and was negligent thereby in that he:

- (a) Failed to render needed medical services to J including proper delivery maneuver(s) and/or properly execute said delivery maneuver(s), undertake ultimate and/or gentle traction in the delivery process; and/or
- (b) Failed to render medical services consistent with the medical requirements of James during delivery including proper delivery maneuver(s) and/or properly execute said delivery maneuver(s), undertake ultimate and/or gentle traction in the delivery process, and/or
- (c) Failed to intervene on behalf of James to see that proper medical care and attention was being given to him including proper delivery maneuver(s) and/or properly execute said delivery maneuver(s), undertake ultimate and/or gentle traction in the delivery process, and/or
- (d) Failed to recognize the macrosomic nature of January and/or failed to take steps to protect against shoulder dystocia and/or failed to take adequate measures to protect January from injury during birth;
- (e) Failed to take due cognizance of James's condition of ill-being during delivery when the fetal presentation was indicative of a macrosomic fetus and/or problems with shoulder dystocia; and/or
- (f) Applied improper and/or excessive force and/or traction during the delivery of J R causing injury to him; and/or
- (g) Failed to undertake gentle traction during the delivery process.
- As a direct and proximate result of one or more of the foregoing wrongful acts and/or omissions of defendant Boling, J was then and there injured internally and externally, in that he suffered severe and permanent injuries to his nervous system and other systems of his body, including, at the very least, a permanent brachial plexus injury; that he has suffered and will continue to suffer great and prolonged physical and mental pain and suffering; that he and/or his parents, Crystal Dawn Lee and Robert Lee, became liable for great sums of money for hospital and medical care and treatment in the past and will reasonably become liable for great sums of money for hospital and medical care and treatment in the future; that he will reasonably incur future medical care and treatment as a result of these injuries; that his future earning capacity has been

substantially diminished thereby; and, that he has sustained significant disfigurement, as well as incurring other damages.

9. Plaintiffs' attorneys have consulted with a health care professional who is knowledgeable in the relevant issues involved herein and have concluded on the basis of the reviewing health care professional's review and consultation that Plaintiff has a meritorious cause of action as to defendant Boling and have attached an affidavit of Plaintiffs' counsel hereto pursuant to §538.225 R.S.Mo. as EXHIBIT A.

WHEREFORE, the Plaintiffs, J. R. L., a minor, by and through his Mother and Next Friend, CRYSTAL DAWN LEE, and CRYSTAL DAWN LEE and ROBERT LEE, individually, pray judgment against the Defendant, RALPH BOLING, D.O., in an amount in excess of TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00), for costs of suit, and any other relief this Court deems appropriate.

#### COUNT II

COME NOW the Plaintiffs, CRYSTAL DAWN LEE and ROBERT LEE, by and through their attorneys, and for Count II of the causes of action against Defendant, RALPH BOLING, D.O., and state:

- 1-8. That the Plaintiff, Jack Republic repeats and realleges each and every allegation of Paragraphs 1-8 of Count I, as Paragraphs 1-8 of Count II.
- 9. That Crystal Dawn Lee and Robert Lee are the parents of J

  R

  L

  a minor, and are both citizens and residents of the State of Missouri.
- 10. That as a direct and proximate result of the injuries to J R R Complained of herein, Plaintiffs, Crystal Dawn Lee and Robert Lee have been deprived of

the comforts of society, companionship, love, affection, support and valuable services, which their son, January Would have contributed and performed.

- 11. That Plaintiffs, Crystal Dawn Lee and Robert Lee have incurred substantial medical bills for the care and treatment of their minor son, January Lee proximately related to the allegations alleged herein and are reasonably certain to incur substantial medical expense in the care and treatment of January Residue.
- 12. Plaintiffs' attorneys have consulted with a health care professional who is knowledgeable in the relevant issues involved herein and have concluded on the basis of the reviewing health care professional's review and consultation that Plaintiff has a meritorious cause of action as to defendant Boling and have attached an affidavit of Plaintiffs' counsel hereto pursuant to §538.225 R.S.Mo. as EXHIBIT A.

WHEREFORE, Plaintiffs, CRYSTAL DAWN LEE and ROBERT LEE, pray for judgment against the Defendants, RALPH BOLING, D.O., in an amount in excess of TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00), for costs of suit, and any other relief this Court deems appropriate.

#### COUNT III

COME NOW the Plaintiffs, J. R. R. L. a minor, by and through his Mother and Next Friend, CRYSTAL DAWN LEE, and CRYSTAL DAWN LEE and ROBERT LEE, individually, and by and through their attorneys, and for Count III of the causes of action under Chapter 538.205 et seq., R.S. Mo. (2005), against Defendant, KIRKSVILLE HOSPITAL CORPORATION, d/b/a NORTHEAST REGIONAL MEDICAL CENTER, and state:

- 1. That Plaintiff, Jewas Le (hereinafter "Jaxson"), a citizen and resident of the State of Missouri, is a minor under the age of fourteen (14) years and brings this suit by his duly appointed, qualified and acting next friend, Crystal Dawn Lee, a citizen and resident of the State of Missouri, who has been duly appointed to act as such by the Circuit Court, Second Judicial Circuit, County of Adair, State of Missouri.
- 2. Crystal Dawn Lee is the parent and mother of James Report Legand is a citizen and resident of the State of Missouri.
- 3. Robert Lee is the parent and father of Leand is a citizen and resident of the State of Missouri.
- 4. That as of April 19, 2005, and at all times relevant herein, Defendant, Kirksville Hospital Corporation, d/b/a Northeast Regional Medical Center (hereinafter "Kirksville Hospital"), was engaged in the business of offering hospital services and facilities in the County of Adair, State of Missouri, located at 315 South Osteopathy, P.O. Box C8502, Kirksville, Missouri, 63501, and that it engaged on its staff various physicians, residents, specialists, nurses, and other personnel, including defendant Boling.
- 5. Kirksville Hospital Corporation is a Missouri corporation with its principal place of business in the State of Tennessee and at all times relevant herein was doing business in the State of Missouri, County of Adair, as Northeast Regional Medical Center.
- 6. That as of April 19, 2005, Defendant, Kirksville Hospital, held itself out and otherwise informed the public and more particularly in the instance of James R

- that it possessed the requisite skill, competence, know-how, facilities, personnel, equipment, and information to properly care for and treat January Roll.
- 7. That on or about April 19, 2005, J Remark entered the facilities of Kirksville Hospital and entrusted himself entirely to the care of the Defendant hospital and its duly authorized agents, servants, physicians, specialists and employees, including but not limited to Ralph Boling, D.O.
- 8. That at all times relevant herein, there was a duty on the part of Kirksville Hospital, by and through its duly authorized agents, servants, physicians, specialists and employees, including but not limited to Ralph Boling, D.O., to use that degree of skill and learning ordinarily used under the same or similar circumstances by the members of defendant's profession, to render hospital and medical services consistent with the medical requirements of the patients therein and not to negligently cause injury to said patients, including but not limited to James R. L.
- 9. That as of April 19, 2005, and at all times relevant herein, Ralph Boling, D.O., was a physician duly licensed to practice his profession under the laws of the State of Missouri and was engaged in the practice of his profession in the County of Adair, State of Missouri, was on the staff of Kirksville Hospital and was the agent, servant and/or employee of defendant Kirksville Hospital.
- 10. That after assuming the care and treatment of Jews Rest Le, the Defendant, Kirksville Hospital, by and through its duly authorized agent, servant, physician and employee, Ralph Boling, D.O., was then and there guilty of one or more of the following wrongful acts and/or omissions such being a departure, or departures from prevailing professional standard(s) of care, and was negligent thereby in that it:

- (a) Failed to render needed medical services to J including proper delivery maneuver(s) and/or properly execute said delivery maneuver(s), undertake ultimate and/or gentle traction in the delivery process; and/or
- (b) Failed to render medical services consistent with the medical requirements of Jacob during delivery including proper delivery maneuver(s) and/or properly execute said delivery maneuver(s), undertake ultimate and/or gentle traction in the delivery process, and/or
- (c) Failed to intervene on behalf of to see that proper medical care and attention was being given to him including proper delivery maneuver(s) and/or properly execute said delivery maneuver(s), undertake ultimate and/or gentle traction in the delivery process, and/or
- (d) Failed to recognize the macrosomic nature of J and/or failed to take steps to protect against shoulder dystocia and/or failed to take adequate measures to protect J from injury during birth;
- (e) Failed to take due cognizance of James's condition of ill-being during delivery when the fetal presentation was indicative of a macrosomic fetus and/or problems with shoulder dystocia; and/or
- (f) Applied improper and/or excessive force and/or traction during the delivery of Jacob Racausing injury to him; and/or
- (g) Failed to undertake gentle traction during the delivery process.
- As a direct and proximate result of one or more of the foregoing wrongful acts and/or omissions of Kirksville Hospital, acting by and through its agent, servant, employee and physician, defendant Boling, J was then and there injured internally and externally, in that he suffered severe and permanent injuries to his nervous system and other systems of his body, including, at the very least, a permanent brachial plexus injury; that he has suffered and will continue to suffer great and prolonged physical and mental pain and suffering; that he and/or his parents, Crystal Dawn Lee and Robert Lee, became liable for great sums of money for hospital and medical care and treatment in the past and will reasonably become liable for great sums of money for hospital and medical care and treatment in the future; that he will reasonably incur future medical care and

treatment as a result of these injuries; that his future earning capacity has been substantially diminished thereby; and, that he has sustained significant disfigurement, as well as incurring other damages.

12. Plaintiffs' attorneys have consulted with a health care professional who is knowledgeable in the relevant issues involved herein and have concluded on the basis of the reviewing health care professional's review and consultation that Plaintiff has a meritorious cause of action as to defendant Kirksville Hospital and have attached an affidavit of Plaintiffs' counsel hereto pursuant to §538.225 R.S.Mo. as EXHIBIT B.

WHEREFORE, the Plaintiffs, JAPAR LEE, a minor, by and through his Mother and Next Friend, CRYSTAL DAWN LEE, and CRYSTAL DAWN LEE and ROBERT LEE, individually, pray judgment against the Defendant, KIRKSVILLE HOSPITAL CORPORATION, d/b/a NORTHEAST REGIONAL MEDICAL CENTER, in an amount in excess of TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00), for costs of suit, and any other relief this Court deems appropriate.

#### COUNT IV

COME NOW the Plaintiffs, CRYSTAL DAWN LEE and ROBERT LEE, by and through their attorneys, and for Count IV of the causes of action against Defendant, KIRKSVILLE HOSPITAL CORPORATION, d/b/a NORTHEAST REGIONAL MEDICAL CENTER, and state:

- 1-11. That the Plaintiff, James R. R. L. repeats and realleges each and every allegation of Paragraphs 1-11 of Count III, as Paragraphs 1-11 of Count IV.
- 12. That Crystal Dawn Lee and Robert Lee are the parents of January R. L., a minor and are both citizens and residents of the State of Missouri.

- 13. That as a direct and proximate result of the injuries to J R R Complained of herein, Plaintiffs, Crystal Dawn Lee and Robert Lee have been deprived of the comforts of society, companionship, love, affection, support and valuable services, which their son, J R R W L would have contributed and performed.
- 14. That Plaintiffs, Crystal Dawn Lee and Robert Lee have incurred substantial medical bills for the care and treatment of their minor son, Januar Robert Lee have incurred proximately related to the allegations alleged herein and are reasonably certain to incur substantial medical expense in the care and treatment of January Robert Lee have incurred
- 15. Plaintiffs' attorneys have consulted with a health care professional who is knowledgeable in the relevant issues involved herein and have concluded on the basis of the reviewing health care professional's review and consultation that Plaintiff has a meritorious cause of action as to defendant Kirksville Hospital and have attached an affidavit of Plaintiffs' counsel hereto pursuant to §538.225 R.S.Mo. as EXHIBIT B.

WHEREFORE, Plaintiffs, CRYSTAL DAWN LEE and ROBERT LEE, pray for judgment against the Defendant, KIRKSVILLE HOPSITAL CORPORATION, d/b/a NORTHEAST REGIONAL MEDICAL CENTER, in an amount in excess of TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00), for costs of suit, and any other relief this Court deems appropriate.

by and through his Mother and Next Friend, CRYSTAL DAWN LEE, and CRYSTAL DAWN LEE and ROBERT LEE, individually,

By:

Roge K. Rea, #33074 LAW OFFICE OF ROGER K. REA Two City Place Drive Suite 200 St. Louis, MO 63141 314-434-2284

and

D. Jeffrey Ezra Sarah D. Smith Ezra & Associates, LLC 850 Vandalia, Stes. 310-320 Collinsville, IL 62234 618-346-1000 Fax: 618-346-0650

Fax: 314-205-9513

and

Jay Benson
The Benson Law Firm LLC
111 S. Baltimore
P.O. Box 219
Kirksville, MO 63501
660-627-0111
Fax: 660-627-0113
Attorneys for Plaintiffs

## Case: 2:07-cv-00034-JCH Doc. #: 1-3 Filed: 07/25/07 Page: 12 of 13 PageID #: 16

### IN THE 2ND JUDICIAL CIRCUIT COURT, ADAIR COUNTY, MISSOURI

Plaintiff/Petitioner:  JACOBER BNF, CRYSTAL DAWN LEE, ETUX  Plaintiff's/Petitioner's Attorney/Address JOHN JAY BENSON 111 SOUTH BALTIMORE	Judge or Division:	Case Number: 07AR-CV00080	
JACOB ROLL BOLL BOLL BOLL BALTIMORE  JOHN JAY BENSON 111 SOUTH BALTIMORE	GARY L DIAL		
LEE, ETUX 111 SOUTH BALTIMORE	Plaintiff/Petitioner:	Plaintiff's/Petitioner's Attorney/Address	
LEE, ETUX 111 SOUTH BALTIMORE	JARRAN BNF, CRYSTAL DAWN	JOHN JAY BENSON	
		111 SOUTH BALTIMORE	
P O BOX 219		P O BOX 219	
vs. KIRKSVILLE, MO 635014623	VS.	KIRKSVILLE, MO 635014623	
Defendant/Respondent: Court Address:	Defendant/Respondent:	Court Address:	
RALPH BOLING, ETAL 106 W WASHINGTON		106 W WASHINGTON	
Nature of Suit: KIRKSVILLE, MO 63501	Nature of Suit:	KIRKSVILLE, MO 63501	
CC Pers Injury-Malpractice (Date File Stamp)			(Date File Stamp)

Defendant/Respondent:  RALPH BOLING, ETAL  Court Address:  106 W WASHINGTON  VIEWSYLLE MO. 63501		X/O	KIRKSVILLE, MO 635014623		
Summons in Civil Case		VS.			
Nature of Suit:  CC Pers Injury-Malpractice  Summons in Civil Case  The State of Missouri to: RALPH BOLING Alias:  800 W JEFFERSON KIRKSVILLE, MO 63501  COURT SEAL OF which is attached, and to serve a copy of your pleading upon the attorney for Plaintiff Petitioner at the above address all within 30 days after receiving this summons, exclusive of the petition at the above address all within 30 days after receiving this summons, exclusive of the petition and the petition.  Sheriff's or Server's Return  Note to serving officer: Summons should be returned to the court within thirty days after the date of issue.  Lectify that I have served the above summons by: (check one)   delivering a copy of the summons and a copy of the petition to the Defendant/Respondent with a person of the Defendant/Respondent is family over the age of 15 years.   (for service on a corporation) delivering a copy of the summons and a copy of the petition to the Defendant/Respondent is family over the age of 15 years.   (for service on a corporation) delivering a copy of the summons and a copy of the petition to (name) (title).   other			l .		
Summons in Civil Case  The State of Missouri to: RALPH BOLING Alias:  800 W.JEFFERSON RIRKSVILLE, MO 63501  Vou are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for Plaintiff/Petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the reflect hemanature in the petition.  5-16-0-7  Date  Sheriff's or Server's Return  Note to serving officer: Summons should be returned to the court within thirty days after the date of issue.  I certify that I have served the above summons by: (check one)  delivering a copy of the summons and a copy of the petition to the Defendant/Respondent.    caving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the Defendant/Respondent with a person of the Defendant's Respondent's family over the age of 15 years.    (for service on a corporation) delivering a copy of the summons and a copy of the petition to    other	RALPH BOLING, ETAL		i .	:	
The State of Missouri to: RALPH BOLING Alias:  **Soo W. JEFFERSON KIRKSVILLE, MO 63501  **COURT SEAL OF***  **Which is attached, and to serve a copy of your pleading upon the attorney for Plaintiff?* etitioner at the above address all within 30 days after receiving this summons, exclusive of the day of specie. If you fall to file your pleading, judgment by default may be taken against you for the pelicif manufald in the petition.  **Date**  **Date**  **Date**  **Date**  **Date**  **Sheriff's or Server's Return  **Note to serving officer: Summons should be returned to the court within thirty days after the date of issue.  **I certify that I have served the above summons by: (check one)    delivering a copy of the summons and a copy of the petition to the Defendant/Respondent.   leaving a copy of the summons and a copy of the petition to the Defendant/Respondent with a person of the Defendant/Respondent of the Defendant/Respondent with a person of the Defendant/Respondent with a person of the Defendant/Respondent of the Defendant/Respondent of the Defendant/Respondent of the Defendant/Respondent with a person of the Defendant/Respondent of the Defendant/Respondent.  **Date:**	Nature of Suit:		KIRKSVILLE, MO 63301		
The State of Missouri to: RALPH BOLING Alias:  **ROW JEFFERSON KIRKSVILLE, MO 63501  **COURT SEAL OF***  **You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for Plaintiff! Petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, jaugment by default may be taken against you for the pelief iromands file the petition.  **Date**  **Purther Information:**  Sheriff's or Server's Return  Note to serving officer: Summons should be returned to the court within thirty days after the date of issue.  I certify that I have served the above summons by: (check one)    cleaving a copy of the summons and a copy of the petition to the Defendant/Respondent.    leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the Defendant/Respondent with a person of the Defendant's Respondent's family over the age of 15 years.    (for service on a corporation) delivering a copy of the summons and a copy of the petition to (name) (title).    other	CC Pers Injury-Malpractic	e	La transport	(Da	te File Stamp)
Alias:  **COURT SEAL OF COUNTY**  **Printed Name of Sheriff or Server ** Summons and a copy of the petition to the Defendant/Respondent.    carrier   ca		Su	ımmons in Civil Case		
Vou are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for Plaintiff Petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the petition.  Sheriff's or Server's Return  Note to serving officer: Summons should be returned to the court within thirty days after the date of issue.  I certify that I have served the above summons by: (check one)  delivering a copy of the summons and a copy of the petition to the Defendant/Respondent.  leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the Defendant/Respondent with a person of the Defendant/Respondent's family over the age of 15 years.  (for service on a corporation) delivering a copy of the summons and a copy of the petition to (name) (title).  other  Served at (aaddress)  in (County/City of St. Louis), MO, on (date) at (time).  Sheriff's Fees, if applicable  Summons S (Notary Public)  Sheriff's Fees, if applicable  Summons S (miles @ S per mile)  Total S miles @ S per mile)  A copy of the summons and a copy of the petition must be served on each Defendant/Respondent. For methods of service on all classes of	The State of Missour	i to: RALPH BOLING	Type:		
You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for Plaintiff/Petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the redief lamanated in the petition.		Alias:			
Vou are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for Plaintiff/Petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleadings, judgment by default may be taken against you for the reflief from a full to file your pleadings, judgment by default may be taken against you for the reflief from a full to file your pleadings, judgment by default may be taken against you for the reflief from a full to file your pleadings, judgment by default may be taken against you for the reflief from a full to file your pleadings, judgment by default may be taken against you for the reflief from a full to file your pleading you for the reflief from a full to file your pleading you for the reflief from a full to file your pleading you for the reflief from a full to file your pleading you for the reflief from a full to file your pleading you for the petition.  Sheriff's or Server's Return  Note to serving officer:  Summons and a copy of the petition to the Defendant/Respondent.  [Seat]  You are summoned to appear before this court and to selective or the address all to your pleading your pleading your pleading your for the petition.  Sheriff's or Server's Return  Note to serving officer:  Subscribed and a copy of the petition to the Defendant/Respondent. For methods of service on all classes of the summons and a copy of the petition must be served on each Defendant/Respondent. For methods of service on all classes of the summons and a copy of the petition must be served on each Defendant/Respondent. For methods of service on all classes of the summons and a copy of the petition must be served on each Defendant/Respondent. For methods of service on all classes of the summons and a copy of the petition must be served on each Defendant/Respondent. For methods of service on all classes of the summons and a copy of the petition must b					
which is attached, and to serve a copy of your pleading upon the attorney for Plaintiff/Petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the refiel remanded in the putition.    Sheriff's or Server's Return	KIKKSVILLE, MO 03501				
which is attached, and to serve a copy of your pleading upon the attorney for Plaintiff/Petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the refiel remanded in the putition.    Sheriff's or Server's Return					
which is attached, and to serve a copy of your pleading upon the attorney for Plaintiff/Petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the refiel remanded in the putition.    Sheriff's or Server's Return	COURT SEAL OF	You are summone	d to appear before this court and to fi	ile your pleading to the petition	. a copy of
file your pleading, judgment by default may be taken against you for the relief remanded in the petition.    Sheriff's or Server's Return	COURTOR	which is attached, and	to serve a copy of your pleading upon	the attorney for Plaintiff/Petit	ioner at the
Sheriff's or Server's Return  Note to serving officer: Summons should be returned to the court within thirty days after the date of issue.  I certify that I have served the above summons by: (check one)    delivering a copy of the summons and a copy of the petition to the Defendant/Respondent.   leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the Defendant/Respondent with a person of the Defendant's/Respondent's family over the age of 15 years.   (for service on a corporation) delivering a copy of the summons and a copy of the petition to   (name)					
Sheriff's or Server's Return	(3/32/5)		ment by default may be taken agains	t you for the relief damanded in	the petition.
Sheriff's or Server's Return	1511 (5)	5-16-07	Linda-Di	ecker huit a.	Fortin
Sheriff's or Server's Return  Note to serving officer: Summons should be returned to the court within thirty days after the date of issue.  I certify that I have served the above summons by: (check one)  delivering a copy of the summons and a copy of the petition to the Defendant/Respondent. leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the Defendant/Respondent with a person of the Defendant's/Respondent's family over the age of 15 years.  (for service on a corporation) delivering a copy of the summons and a copy of the petition to  (name) (title).  other  Served at (address)  in (County/City of St. Louis), MO, on (date) at (time).  Printed Name of Sheriff or Server  Must be sworn before a notary public if not served by an authorized officer:  Subscribed and sworn to before me on (date).  My commission expires:  Date Notary Public  Sheriff's Fees, if applicable  Summons S Non Est S Notary Public  Mileage S Notary Public I miles @ S Per mile)  Total S Per methods of service on all classes of		Date		Ølerk (	<i></i>
Note to serving officer: Summons should be returned to the court within thirty days after the date of issue.  I certify that I have served the above summons by: (check one)  delivering a copy of the summons and a copy of the petition to the Defendant/Respondent.  leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the Defendant/Respondent with a person of the Defendant's/Respondent's family over the age of 15 years.  (for service on a corporation) delivering a copy of the summons and a copy of the petition to  (name)  (ittle).  other  Served at  (address)  in  (County/City of St. Louis), MO, on  (date) at  (time).  Printed Name of Sheriff or Server  Must be sworn before a notary public if not served by an authorized officer:  Subscribed and sworn to before me on  (Seal)  My commission expires:  Date  Notary Public  Sheriff's Fees, if applicable  Summons \$  Non Est \$  Mileage \$	ADAIR COUNTY	Further Information:		0 0	
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Printed Name of Sheriff or Server  Must be sworn before a notary public if not served by an authorized officer:  Subscribed and sworn to before me on	in	(County/City of	f St. Louis), MO, on	(date) at	(time).
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Subscribed and sworn to before me on	Printed Nan	ne of Sheriff or Server		Signature of Sheriff or Server	***************************************
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IN THE CIRCUIT COURT

	AIR, STATE OF MISSOURI
by and through his Mother and Next Friend, CRYSTAL DAWN LEE, and CRYSTAL DAWN LEE and ROBERT LEE, individually,	MAY 15 2007 LINDA DECKEI CIRCUIT CLERK ADAIR COUNTY
Plaintiffs,	) )
VS.	) Cause No.: 07AR - CV00080
RALPH BOLING, D.O., KIRKSVILLE HOSPITAL CORPORATION, d/b/a NORTHEAST REGIONAL MEDICAL CENTER,	
Defendants	) )

## ORDER APPOINTING NEXT FRIEND

THIS CAUSE comes before this Court on the Motion of J the appointment of his natural parent and guardian, Crystal Dawn Lee, as his next friend for the prosecution and defense of the above captioned lawsuit. The Court, being duly advised in the premises,

IT IS HEREBY ORDERED, that Crystal Dawn Lee is hereby appointed as the next a minor, for all purposes related to the prosecution and defense of the above captioned lawsuit.

Defendants.